

Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

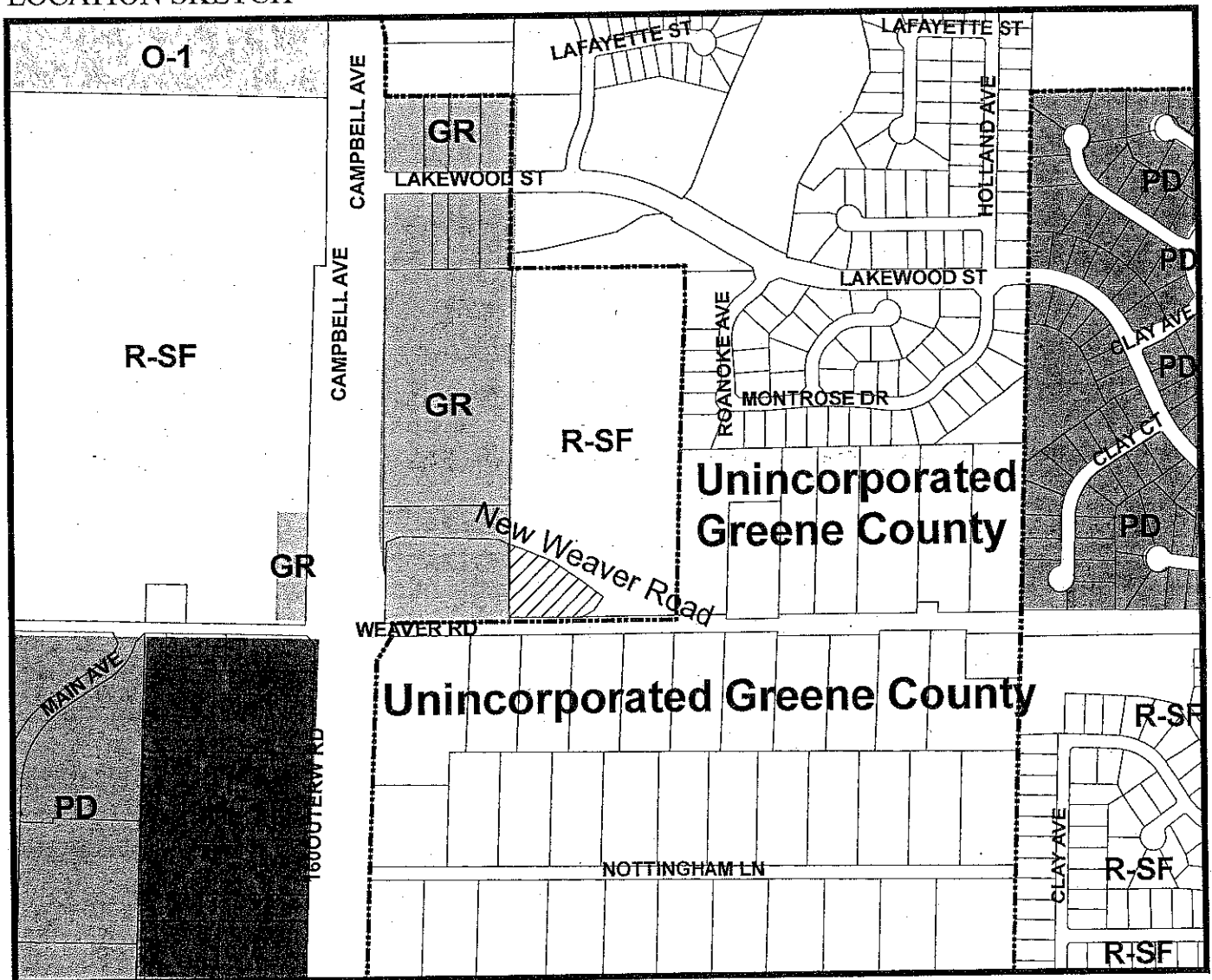
Z-10-2010

Location: 315 E. Weaver Rd.

Current Zoning: R-SF, Single-Family Residential

Proposed Zoning: GR, General Retail

LOCATION SKETCH



- Area of Proposal

0 100 200 400 600

Feet

1 inch = 600 feet

Affected Agency Notified: Yes
Emergency Required: No
Budget Adjust. Required: No
Board Rec. Required: Yes
Public Hearing: May 17, 2010
Sponsor:
Date: April 16, 2010

EXPLANATION TO COUNCIL BILL NO. 2010 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.39 acres, generally located at 315 E. Weaver Road, from an R-SF, Residential Single Family Zoning District, to a GR, General Retail Zoning District.

ZONING CASE NUMBER Z-10-2010

BACKGROUND INFORMATION:

This is a request to rezone approximately 1.39 acres from an R-SF, Residential Single Family Zoning District to a GR, General Retail Zoning District, to allow for uses that are permitted within the GR, General Retail Zoning District.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on April 29, 2010 and recommended, by a vote of to , of the proposed rezoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends **approval** of the proposed rezoning (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed uses permitted in the General Retail District are consistent with neighboring uses.
2. The Springfield-Greene County Growth Management and Land Use Plan indicates the subject property should be developed as high intensity retail, office or housing.

CONDITIONS:

If approved, the new zoning is not effective until:

1. Weaver Road is classified as a secondary arterial that requires 35 feet of right-of-way as measured from centerline. Any right-of-way and easements needed for the relocation of Weaver Road will have to be dedicated if not already done.

3. The requested change in zoning would cause an increase of almost 1,000 daily trips. Improvements are planned for Weaver Road. Existing Weaver Road would be inadequate to handle the increase in trips that would result from this rezone request. The zoning to Weaver Road will not be effective until the relocation of Weaver Road and sidewalks are completed.

If these conditions are not completed within two (2) years from the date the City Council approves this ordinance, then the approval is null and void and the zoning will remain R-SF, Residential Single Family District.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

Submitted by:

Approved by:

Michael K. MacPHERSON

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Conditional Overlay District Provisions

Exhibit D, Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-10-2010

REMAINDER TRACT 2 DESCRIPTION

ALL THAT PART OF LOT 1 OF WARD B. KING, A SUBDIVISION RECORDED IN PLAT BOOK WW, PAGE 53 IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIN CAPPED "LS 164D" AT THE SOUTHWEST CORNER OF SAID LOT 1, THENCE N00°52'59"E ALONG THE WEST LINE OF SAID LOT 1, 264.56 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PROPOSED WEAVER ROAD (FARM ROAD 178); THENCE S75°58'07"E ALONG SAID RIGHT-OF-WAY LINE, 29.55 FEET; THENCE N59°57'58"E, 26.58 FEET; THENCE 245.94 FEET ALONG A 494.48 FOOT RADIUS NON-TANGENT CURVE RIGHT WHOSE CHORD BEARS S56°25'57"E, 243.41 FEET; THENCE N47°48'35"E, 5.00 FEET; THENCE 49.20 FEET ALONG A 635.00 FOOT RADIUS NON-TANGENT CURVE LEFT WHOSE CHORD BEARS S44°24'35"E, 49.18 FEET; THENCE S05°01'30"E, 43.91 FEET; THENCE 146.64 FEET ALONG A 167.50 FOOT RADIUS NON-TANGENT CURVE RIGHT WHOSE CHORD BEARS S64°50'07"W, 142.00 FEET TO AN IRON PIN SET ON THE EXISTING NORTH RIGHT-OF-WAY LINE OF WEAVER ROAD (FARM ROAD 178); THENCE S89°56'33"W ALONG SAID RIGHT-OF-WAY LINE, 172.02 FEET TO THE POINT OF BEGINNING. CONTAINING 1.39 ACRES, MORE OR LESS (60,416 SQUARE FEET) AND BEING SUBJECT TO ALL EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS OF RECORD.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-10-2010

DATE: March 29, 2010

LOCATION: 315 E. Weaver Road

APPLICANT: WBK, LLC.

TRACT SIZE: Approximately 1.39 acres

EXISTING USE: Vacant land

PROPOSED USE: Development as permitted in the GR, General Retail Zoning District.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	County R-1	Residential use
East	GR	Vacant
South	County R-1	Residential use
West	GR	Vacant land

SANITARY SERVICES COMMENTS:

No problems regarding rezoning. Property will have to extend sewer before any development can take place.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with rezoning to GR.

CITY UTILITIES COMMENTS:

No objections.

NEIGHBORHOOD MEETING:

Eight (7) property owners are within 185 feet of this site and have been notified of this action.

The applicant held a neighborhood meeting on April 8, 2010. A summary of the meeting is attached (Attachment 4).

STAFF COMMENTS:

2. The Springfield-Greene County Growth Management and Land Use Plan indicates the subject property should be developed as high intensity retail, office or housing.
3. The rezoning and development of the subject property will generate a significant increase in daily traffic trips. The zoning will not be effective until the following issues are resolved:
 - a. 35 feet of right of way from the centerline of Weaver Road is dedicated.
 - b. Any right of way and/or easements from the relocated Weaver Road will have to be dedicated.
 - c. Sidewalk is to be constructed along the Weaver Road frontage
 - d. Improvements are planned for Weaver Road. Existing Weaver Road would be inadequate to handle the increase in trips that would result from this rezone request. The zoning to Weaver Road will not be effective until the relocation of Weaver Road is completed.

FINDINGS FOR STAFF RECOMMENDATIONS:

4. The proposed uses permitted in the General Retail District are consistent with existing neighboring zoning and uses along Campbell Avenue.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None.

RECOMMENDATION:

The request be **approved**

STAFF CONTACT PERSON:

Mike MacPherson
Principal Planner

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings (to be provided prior to City Council)

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Street System Report

Attachment 3, Drainage Report

Attachment 4, Neighborhood Meeting Summary

ATTACHMENT 2
STREET SYSTEM REPORT
ZONING CASE #Z-10-2010

TRAFFIC ENGINEER:

1. The request is to change zoning from R-SF to GR.
2. Weaver Road is classified as a secondary arterial that requires 35 feet of right-of-way as measured from centerline. It appears that no additional right-of-way is required for existing Weaver Road if a rezone would be requested. Any right-of-way and easements needed for the relocation of Weaver Road will have to be dedicated if not already done.
3. Sidewalk would be required on the Weaver Road frontage.
4. The requested change in zoning would cause an increase of almost 1,000 daily trips. Improvements are planned for Weaver Road. Existing Weaver Road would be inadequate to handle the increase in trips that would result from this rezone request.

ATTACHMENT 3
DRAINAGE REPORT
ZONING CASE #Z-10-2010

This zoning change will increase the storm water management requirements when the site develops.

2) The Ward Branch floodway/floodplain passes through the center of the property. All floodplain requirements must be met.

3) Must meet all other ordinances and requirements related to storm water.

ATTACHMENT 4
NEIGHBORHOOD MEETING SUMMARY



April 9, 2010

Mike MacPherson
Zoning Administrator
City of Springfield
840 Boonville
Springfield, MO 65801

Re: Zoning Case Z-10-2010

Dear Mr. MacPherson:

On Thursday, April 8, 2010, Great River Associates held a neighborhood meeting on this zoning case. A copy of the letter inviting property owners within 500 feet of the subject property was provided to the City along with the rezoning application. The meeting was an open house from 4:00 p.m. to 7:00 p.m. at the Great River office at 2826 S. Ingram Mill, Springfield. Two neighborhood residents attended: Mr. and Mrs. Albert Spencer, 330 E. Weaver Road. A copy of the sign-in sheet is attached.

Mr. and Mrs. Spencer were concerned about when construction work would begin on the new location of Weaver Road and what would be constructed on the subject property. I explained that the applicant has no plans to build on the property at this time and has no prospective buyer, but wants to have a commercial property ready when the road construction is completed. I was unable to provide a timetable for construction on the street. I will try to obtain an estimate from city staff and send a letter to Mr. and Mrs. Spencer.

No other area residents contacted Great River Associates.

Cordially,

Kathleen A. Giles
Planning and Zoning Director
Great River Associates

Neighborhood Meeting

Zoning Case for 315 E. Weaver

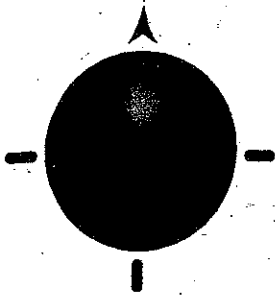
Z-10-2010

Date: Thursday, April 8, 2010

Place: Great River Engineering, 2826 S. Ingram Mill, Springfield, MO

Sign In Sheet:

1. Albert B. Spencer
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____



GRA
GREAT RIVER
ASSOCIATES

March 11, 2010

Re: Rezoning Application, 315 East Weaver Road

Dear Neighborhood Resident:

Great River Associates has been contracted to represent WBK, LLC on a request to rezone a parcel of land on Weaver Road east of Campbell Avenue, as shown on the attached location sketch. The City of Springfield, Greene County and MoDOT are planning a joint street construction project to relocate the intersection of Weaver Road and Campbell Avenue further to the north of its current location. This will split our client's property into two pieces. The McKen property, located at the intersection and to the west of our client's property is already zoned GR, General Retail. We believe that the small triangle of our client's property that is being created by the new street alignment is also appropriate for GR zoning rather than the current R-1, Single Family Residential zoning. Our client has no buyer and no specific plans or uses for the property at this time, but would like to have a commercial tract of land available for sale when the street project is completed.

We will host an open house and public meeting on Thursday, April 8 at our office, located at 2826 South Ingram Mill, Springfield, Missouri from 4:00 p.m. until 7:00 p.m. We will be available to show you an aerial photo of the area and to listen to any comments, concerns or feedback from the neighborhood about the proposed rezoning.

I am also available to meet with you individually, by appointment, in our office if the above time is inconvenient for you. Please feel free to contact me by phone at 886-7171.

Cordially,

Kathleen A. Giles
Planning and Zoning Director
Great River Associates

Weaver Rezoning
Property Owners Within 500 Feet
Information Taken from Greene County Assessor's Records
Date: 3/9/2010

881824201011
BAYLESS, JOHN
210 E WEAVER RD
SPRINGFIELD, MO 65810-1736

881824201026
BAYLESS, JOHN O JR
218 E WEAVER RD
SPRINGFIELD, MO 65810-1736

881824201009
BRADY, EVELYN TOLBERT TR
115 LONDON LN
CAMPBELLSVILLE, KY 42718-1660

881824201007
DAVIDSON, JAMES A
504 EL PRADO DR
BAKERSFIELD, CA 93304-3923

881824201006
KRAMER, GARY L
12139 W HOWARDSVILLE RD
LENA, IL 61048-9531

881813301010
LAMBERT, STEVE D
507 E WEAVER RD
SPRINGFIELD, MO 65810-1738

881824201010
LENHART, SUZANNE
230 E WEAVER RD
SPRINGFIELD, MO 65810-1736

881813301013
MCKEEN, CONNIE J ETAL TR
255 TURNERS STATION
TURNERS, MO 65765

881813301133
MORRIS, JOHN L
2500 E KEARNEY ST
SPRINGFIELD, MO 65898-0001

881824201008
SPENCER, ALBERT B TR
330 E WEAVER RD
SPRINGFIELD, MO 65810-1737

881813301015
WALKER, KELLY JOE
501 E WEAVER RD
SPRINGFIELD, MO 65810-1738

Rezoning on Weaver Road
Property Owners Within 185 Feet
Information Taken from Greene County Assessor's Records
Date: 3/9/2010

881813301133
MORRIS, JOHN L
2500 E KEARNEY ST
SPRINGFIELD, MO 65898-0001

881813301013
MCKEEN, CONNIE J ETAL TR
255 TURNERS STATION
TURNERS, MO 65765

881824201026
BAYLESS, JOHN O JR
218 E WEAVER RD
SPRINGFIELD, MO 65810-1736

881824201008
SPENCER, ALBERT B TR
330 E WEAVER RD
SPRINGFIELD, MO 65810-1737

881824201011
BAYLESS, JOHN
210 E WEAVER RD
SPRINGFIELD, MO 658101736

881824201010
LENHART, SUZANNE
230 E WEAVER RD
SPRINGFIELD, MO 65810-1736

881824201009
BRADY, EVELYN TOLBERT TR
115 LONDON LN
CAMPBELLSVILLE, KY 42718-1660